

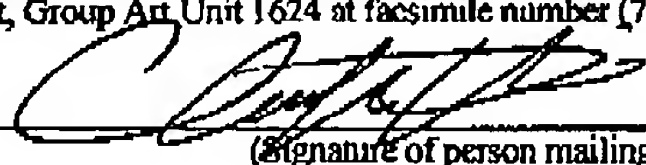
RECEIVED  
CENTRAL FAX CENTER

SEP 27 2004

PATENT  
Attorney Docket No. PC10770B US

I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via facsimile to Examiner Emily B. Bernhardt, Group Art Unit 1624 at facsimile number (703) 872-9306 on this 27<sup>th</sup> day of September 2004.

By



(Signature of person mailing)

Christopher J. Verni

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Laura C. Blumberg *et al.*

Serial No.: 10/660,052

Group Art Unit: 1624

Filed: September 10, 2003

Examiner: Emily B. Bernhardt

Title: NOVEL PIPERAZINE  
DERIVATIVES

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

VIA FACSIMILE: (703) 872-9306 (3 Pages)

**TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION**

Sir:

Petitioner, Pfizer, Inc., hereby states that it is the assignee of the entire right, title and interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior United States Patent No. 6,649,611. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

PATENT  
Attorney Docket No. PC10770B US

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned (whose title is supplied below) is empowered to act on behalf of Petitioner. The present continuation application is assigned by virtue of an assignment of the parent application from the named inventors to Pfizer, Inc., which was recorded with the USPTO on September 3, 2002, a copy of which can be found at reel 013251 frame 0552.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

USSN 10/660,052  
Terminal Disclaimer

Page 2 of 3

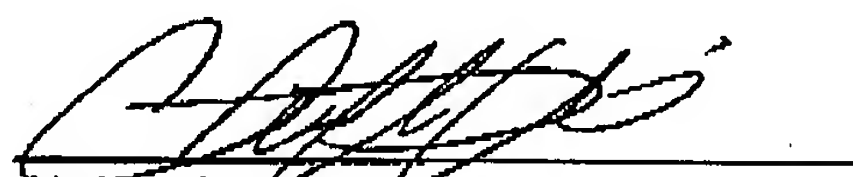
PATENT  
Attorney Docket No. PC10770B US

The Commissioner is hereby authorized by this paper to charge the required fee under 37 C.F.R. §§ 1.321(b)(4) and 1.20(d) to Deposit Account 16-445. The Commissioner is hereby authorized by this paper to charge any additional fees that may be required or credit any overpayment to Deposit Account 16-445.

Respectfully submitted,

Date:

September 27, 2004



Christopher J. Verni  
Attorney for Applicants  
Reg. No. 48,322

Customer No. 28523  
Pfizer Inc.  
Patent Department, MS 8260-1611  
Eastern Point Road  
Groton, Connecticut 06340  
(860) 686-2032

Doc. #: 76542v1

USSN 10/660,052  
Terminal Disclaimer

Page 3 of 3